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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

FRANK P. BIRCH, JR.,

Plaintiff,

v.

STATE OF NEVADA,

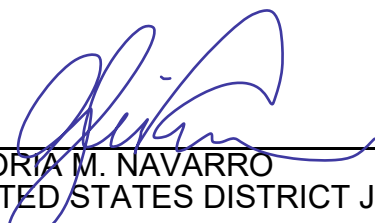
Defendant.

Case No. 2:20-cv-01776-GMN-DJA

ORDER

This matter has been referred to the Court for the limited purpose of determining whether Plaintiff's *in forma pauperis* status should continue on appeal. (ECF No. 11). This Court certifies that Plaintiff's appeal would be frivolous or would not be taken "in good faith" pursuant to 28 U.S.C. § 1915(a)(3). Plaintiff's *in forma pauperis* status should be revoked on appeal. See *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002) (stating in pertinent part that revocation of *in forma pauperis* status is appropriate where the district court finds the appeal to be frivolous).

DATED THIS 8 Day of July 2021.

  
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GLORIA M. NAVARRO  
UNITED STATES DISTRICT JUDGE